

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 AID-05 CEQ-01 CIAE-00 SOE-02
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NSF-01 NSC-05 NSAE-00 PM-05 ICA-11 OES-09 SS-15
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P 071842Z JUL 78
FM AMEMBASSY OTTAWA
TO SECSTATE WASHDC PRIORITY 7971
INFO AMCONSUL MONTREAL
ALL OTHER CONSULS IN CANADA POUCH

C O N F I D E N T I A L SECTION 01 OF 02 OTTAWA 03395

PASS DOI FOR ASST SECRETARY GUY MARTIN

E.O. 11652: GDS
TAGS: SENV, EPAP, ENRG, CA
SUBJECT: NORTHERN YUKON LAND WITHDRAWAL

REF: A. OTTAWA A-104, 5/4/78; B. OTTAWA A-154, 6/21/78

1. SUMMARY: INDIAN AND NORTHERN AFFAIRS (DINA) MINISTER FAULKNER ANNOUNCED JULY 6 WITHDRAWAL OF 15,000 SQUARE MILES OF NORTHERN-MOST AREA OF YUKON TERRITORY FROM NEW DEVELOPMENT. WITHDRAWAL IS FIRST STEP TOWARD CREATION OF CANADA'S FIRST NATIONAL WILDERNESS PARK. CONCURRENT WITH WITHDRAWAL ANNOUNCEMENT, ENVIRONMENT MINISTER LEN MARCHAND ANNOUNCED GOC INTENTION TO OPEN DISCUSSIONS WITH USG ON INTERNATIONAL MANAGEMENT PLAN FOR PORCUPINE RIVER CARIBOU HERD. WITHDRAWAL STOPS FURTHER DISPOSAL OF LAND FOR OIL AND GAS EXPLORATION AND SALE OR LEASE OF SURFACE RIGHTS AND PROHIBITS STAKING MINERAL CLAIMS. EXISTING MINERAL AND GAS CLAIMS ARE AFFECTED BY WITHDRAWAL AND EXPLORATION MAY CONTINUE ON SUCH PROPERTIES
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UNDER CURRENT REGULATIONS. WITHDRAWAL IS CLOSELY LINKED TO AS YET UNANNOUNCED AGREEMENT BY GOC AND COMMITTEE FOR ORIGINAL PEOPLE'S ENTITLEMENT (COPE). CLAIMS SETTLEMENT WITH COPE WILL GIVE WESTERN ARCTIC INUIT SUBSISTENCE HUNTING RIGHTS IN AREA EVENTUALLY TO BE DESIGNATED AS NATIONAL WILDERNESS PARK. END SUMMARY.

2. CANADA TOOK FIRST STEP TOWARD CREATION OF ITS FIRST NATIONAL WILDERNESS PARK JULY 6 WHEN NORTHERN AFFAIRS MINISTER HUGH FAULKNER ANNOUNCED WITHDRAWAL OF 15,000 SQUARE MILES OF NORTHERN YUKON FROM NEW DEVELOPMENT. WITHDRAWAL IS BASED ON GOC CONCLUSION THAT CONSERVATION VALUE OF REGION EXCEEDS ITS DEVELOPMENT POTENTIAL. THIS CONCLUSION IS SUPPORTED BY RECOMMENDATIONS OF JUSTICE BERGER AND EVIDENCE GIVEN AT 1976-77 NATIONAL ENERGY BOARD HEARINGS ON NORTHERN GAS PIPELINE. AREA WITHDRAWN INCLUDES ALL LAND NORTH OF PORCUPINE AND BELL RIVERS.

3. WITHDRAWAL SUPPORTS CONSULTATION PROCESS ANNOUNCED IN JANUARY BY RESERVING AREA FROM FURTHER DISPOSITION (SEE REF A). WITHDRAWAL WILL ALSO ALLOW GOC TO DETERMINE HOW MUCH OF AREA TO DEDICATE TO NATIONAL WILDERNESS PARK AND TO OTHER CONSERVATION PURPOSES.

4. WHILE REGION INCLUDES CRITICAL HABITAT FOR MANY WILD-LIFE SPECIES, ARCHAEOLOGICAL AND PALEONTOLOGICAL SITES OF INTERNATIONAL SIGNIFICANCE AND SPECTACULAR SCENERY, CHIEF JUSTIFICATION FOR ITS ULTIMATE DESIGNATION AS A WILDERNESS PARK IS PROTECTION OF 110,000-HEAD PORCUPINE RIVER CARIBOU HERD. FAULKNER SAID THAT GOC WILL CREATE TASK FORCE TO DEVELOP MANAGEMENT PLAN FOR ENTIRE CANADIAN RANGE OF PORCUPINE RIVER HERD. RECOGNIZING THAT UNILATERAL CANADIAN ACTION WILL NOT INSURE CONTINUED VIABILITY.

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ITY OF THESE CARIBOU, ENVIRONMENT MINISTER LEN MARCHAND CONCURRENTLY ANNOUNCED GOC INTENTION TO OPEN DISCUSSIONS WITH USG ON AN INTERNATIONAL PLAN TO PROTECT THE HERD THROUGHOUT ITS RANGE (SEE REF B).

5. FAULKNER HAS INVITED TERRITORIAL GOVERNMENTS, CANADIAN WILDLIFE SERVICE, COPE AND COUNCIL OF YUKON INDIANS TO JOIN DINA IN DEVELOPING MANAGEMENT PLAN FOR WITHDRAWAL AREA. FAULKNER STRESSED THAT WITHDRAWAL WILL NOT PREJUDICE LAND CLAIM DISCUSSIONS FOR TRADITIONAL NATIVE HUNTING, FISHING, AND TRAPPING. WITHDRAWAL STOPS FURTHER DISPOSAL OF LAND UNDER TERRITORIAL LANDS ACT FOR OIL AND GAS EXPLORATION, ENDS SALE OR LEASE OF SURFACE RIGHTS, AND PROHIBITS ENTRY FOR STAKING OF MINERAL CLAIMS PREVIOUSLY PERMITTED UNDER YUKON QUARTZ AND PLACER MINING ACTS. CURRENT MORATORIUM ON OIL AND GAS EXPLORATION IN OLD CROW FLATS REMAINS IN EFFECT. SMALL AREA AROUND OLD CROW COMMUNITY AND HARBOR SITE ON HERSCHEL ISLAND ARE EXCLUDED. EXISTING MINERAL CLAIMS AND OIL AND GAS INTERESTS ARE NOT AFFECTED BY WITHDRAWAL AND EXPLORATION OF SUCH PROPERTIES MAY CONTINUE UNDER EXISTING REGULATIONS.

6. COMMENT: DINA DEPUTY MINISTER ARTHUR KROEGER TOLD EMBASSY OFFICER JULY 4 THAT GOC HAS REACHED PROVISIONAL AGREEMENT WITH COPE ON LAND CLAIM SETTLEMENT FOR WESTERN ARCTIC REGION THUS MAKING WITHDRAWAL POSSIBLE. SETTLEMENT PROVIDES THAT COPE WILL HAVE SUBSISTENCE HUNTING RIGHTS IN WILDERNESS PARK. WE HAVE LEARNED FROM OTHER SOURCES THAT TERMS OF COPE SETTLEMENT INCLUDE 55 MILLION DOLLAR CASH PAYMENT, LAND ENTITLEMENTS AND OTHER GENERAL TERMS WHICH PARALLEL JAMES BAY CLAIMS SETTLEMENT MODEL. KROEGER SAID THAT THE GOC WILL "ALLOW A LITTLE DAYLIGHT BETWEEN ANNOUNCEMENT OF NORTHERN YUKON LAND WITHDRAWAL AND COPE CLAIMS SETTLEMENT SO THAT LINKAGE WILL NOT SEEM TOO OBVIOUS. COPE'S PARTICIPATION IN DEVELOPMENT OF MANAGE-

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C O N F I D E N T I A L SECTION 02 OF 02 OTTAWA 03395

MENT PLAN FOR WITHDRAWAL AREA WOULD ALSO SEEM TO BE PART
OF SETTLEMENT PACKAGE. END COMMENT.

7. COPIES OF PRESS RELEASE, MAPS AND OTHER POLICY
DOCUMENTS FOLLOW BY POUCH TO EUR/CAN, EB/ORF/FSE,
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